

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TIMOTHY WILLIAM FLETCHER	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 08-716
GERALD ROZUM, THE DISTRICT	:	
ATTORNEY OF THE COUNTY OF	:	
MONROE and THE ATTORNEY	:	
GENERAL OF THE STATE OF	:	
PENNSYLVANIA	:	
Respondents.	:	

ORDER

AND NOW, this 25th day of June, 2008, upon consideration of the *pro se* Petition for Writ of Habeas Corpus filed by Timothy William Fletcher pursuant to 28 U.S.C. § 2254, the response of the defendants, and the Report and Recommendation of United States Magistrate Judge Peter B. Scuderi dated May 29, 2008, it appearing that petitioner was convicted in Monroe County, which is located in the Middle District of Pennsylvania, and is currently incarcerated in Somerset County, which is in the Western District of Pennsylvania, and that a habeas corpus petition may be filed in the District in which a petitioner is in custody or in the District in which he was convicted, 28 U.S.C. § 2241(d), **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Peter B. Scuderi dated May 29, 2008, is **APPROVED** and **ADOPTED**;

2. The Petition for Writ of Habeas Corpus filed by petitioner, Timothy William Fletcher, pursuant to 28 U.S.C. § 2254 is **TRANSFERRED** to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. § 2241(d); and,

3. A certificate of appealability will not issue on the ground that petitioner has not made a substantial showing of a denial of a constitutional right as required under 28 U.S.C. § 2253(c)(2).

BY THE COURT:

/s/ Honorable Jan E. DuBois

JAN E. DUBOIS, J.